

# VALET PARKING RULES AND REGULATIONS OF THE BOSTON TRANSPORTATION DEPARTMENT

## Section 1.0 Introduction

The rules and regulations set forth herein shall be part of the Boston Transportation Department's Traffic Rules and Regulations ("Department's Rules and Regulations"). Valet parking permits shall be issued to the establishment serviced by the valet parking operation. Such establishments may contract with outside firms to conduct their valet parking operation. A valet parking permit allows the holder exclusive use of curb space during approved time periods and is authorized under the Transportation Department's authority to regulate on-street parking. It is a privilege not a right. Valet parking helps promote the more efficient use of limited on-street parking spaces. No curb space shall be used for valet parking without a permit issued hereunder. A permit may be modified, suspended or revoked if the valet parking operation is not conducted in accordance with applicable law and these rules and regulations or if the valet parking zone is not being used for a valet parking operation for all or a portion of the approved time periods

## Section 2.0 General Provisions

Valet parking shall be the parking of a vehicle parallel to the curb in an approved valet parking zone for a maximum of ten minutes continuously while engaged in receiving or discharging passengers, loading or unloading of baggage or making arrangements to remove the vehicle to a designated off-street parking facility. Vehicles that are valet parked shall be transported to and parked at a designated off-street parking facility and shall not be parked in the valet parking zone or any other on-street parking spaces. The permit holder shall maintain or cause to be maintained records of use of an off-street parking facility and make such records available for inspection by the Department. Any vehicle parked in violation of the valet parking rules and regulations shall be subject to the issuance of a parking citation and the establishment and the valet operator shall be subject to the enforcement measures identified herein. The Department reserves the right to designate valet parking zones or require that more than one establishment be served from a single valet parking zone based upon local conditions such as traffic congestion, the demand for valet parking zones or the overall impact of valet operations in a particular area.

## Section 3.0 Term and Public Comment

Valet parking permits shall be issued to establishments for the period July 1 through June 30. Special or one-day permits may be issued as provided in Section 10.0 below. All permits shall expire on June 30 of each year and must be renewed annually. The Department shall receive and maintain a log of comments and complaints throughout the year and shall designate a special renewal comment period commencing on April 1 each year related to the annual renewal of existing permits. The Department shall also provide notice to the applicable District City Councillor on all initial applications and may convene a public hearing on any initial application or renewal application and solicit comments on such application. Notice of any such hearings shall include a posting in City Hall and notice to the applicable District City Councillor and the persons who have commented on affected establishment.

## Section 4.0 Coordination with other City Agencies and Departments

The Department shall coordinate its review and enforcement of valet parking operations with other City of Boston agencies including the Boston Police Department, the Licensing Board for the City of Boston and the Mayor's Office of Consumer Affairs and Licensing by exchanging and sharing information with these agencies

## Section 5.0 Application for Valet Parking

An application for a valet parking permit shall be submitted on a form issued by the Department. Applications must be submitted by the establishment that will be serviced by the valet parking operation. Permits must be renewed annually and updated information must be submitted with a renewal application. The application form shall request the following information.

- 5.1 The name, address, and telephone and fax numbers of the establishment requesting a valet parking zone
- 5.2 The name, and telephone and fax numbers, including the daytime

and nighttime numbers of the owner or general manager of the establishment.

- 5.3 The name and address and telephone and fax numbers of the valet parking operator that will be operating the valet service, and the daytime and nighttime telephone number and fax numbers of the owner or general manager of the valet company. A telephone pager number of the owner or general manager of the valet company shall also be provided. If a valet company will not be used, the same information shall be provided for the establishment.
- 5.4 The location and number of linear feet requested for the valet parking zone.
- 5.5 The days and actual hours of operation requested, the estimated number of vehicles that will be valet parked and the estimated number of valet attendants that will be present during each of the following periods: Monday through Friday during the daytime; Saturday and Sunday during the daytime; Sunday to Wednesday evenings; and Thursday to Saturday evenings.
- 5.6 A copy of the agreement between the valet parking operator or the establishment with the owner or operator of an approved off-street parking facility where the valet vehicles will be parked shall be submitted. Said agreements must include the following information: the location of the facility; the total number of parking spaces in the facility; and the total number of parking spaces that will be available for valet parked vehicles from the establishment.
- 5.7 A plan or map and a description depicting the proposed route that valet parking attendants will use to and from the off-street parking facility shall be submitted.
- 5.8 Evidence related to the use of an off-street parking facility during the term of a current permit shall be submitted for all renewal applications, provided that this requirement shall not apply for permits renewed for the period July 1, 1997 to June 30, 1998.

## Section 6.0 Evaluation Procedures and Criteria

Upon receipt of a completed application, the Department shall provide a copy to the local Boston Police Department District where the proposed valet operation will be located. Review, comments and hearings shall be as provided in Section 3.0. All applications for an initial permit or renewal of an existing permit are subject to an evaluation by the Department in order to insure that there is safe and adequate vehicular access to and from the valet parking zone and that the vehicular traffic expected to be generated by the valet parking operation will not cause undue traffic congestion, block or impede the flow of traffic or pose a public safety hazard by delaying or preventing access in or throughout the area of the valet parking zone. The evaluation shall be completed promptly but no later than sixty days following receipt of a complete application. The evaluation shall consider the following:

- 6.1 The existing parking regulations on the block and in the general vicinity of the valet parking zone.
- 6.2 The anticipated number of vehicles that are proposed to be accommodated at the valet parking zone during each of the operating periods listed in Section 5.5 and the corresponding number of valet parking attendants that are proposed to be used during each such period.
- 6.3 The width and configuration of the streets at and in the general vicinity of the valet parking zone.
- 6.4 The accessibility issues such as turning movements required for vehicles that will enter and leave the valet parking zone.
- 6.5 The existing vehicular volumes on the streets and the on-street parking demand at and in the general vicinity of the requested zone during the time periods listed for the operation.
- 6.6 Pedestrian volumes at and in the general vicinity of the valet parking zone.
- 6.7 An assessment of the proposed route to and from the off-street parking facility under the following criteria: how direct is the route and is the distance between the establishment and the parking facility a reasonable walking distance (generally about 1,500 feet or a five minute walk).
- 6.8 The overall demand for valet parking zones at and in the general vicinity of the requested location during the operating periods listed on the valet parking application.

- 6.9 The record of the valet firm that will be providing the service. If a valet firm will not be used, the same information as to the establishment.

### **Section 7.0 Determination and Issuance Procedures and Criteria**

The Department shall determine whether and to what extent the application should be approved based upon the Department Rules and Regulations and its statutory authority. The Department may accept and consider comments from elected officials, residents and other city agencies and departments. Under the provisions of these rules and regulations, an application may be approved in whole or in part, it may be denied, or it may be approved subject to specific additional conditions related to location and use characteristics such as the number of linear feet, the exact location of the valet parking zone, the number of vehicles that may be valet parked during each operating period listed in Section 5.5, the required number of valet attendants during each such operating period and use of a single valet parking zone by more than one establishment. An approval notification shall be the valet parking permit ("permit") and it shall include the information on the permit application, the information set forth below and such additional as the Department may determine. If an application is denied in whole or in part, or if it is approved subject to specific additional conditions, the grounds for such action shall be in writing and become part of the permit. The permit shall include the following:

- 7.1 The term of the permit, the exact location and the number of linear feet of the valet parking zone, the approved days and hours of operation, the maximum number of vehicles that can be valet parked and the minimum number of valet attendants required during each of the approved operating periods, the name and address of the designated off-street parking facility and the permit fee. Valet parking shall be allowed only during the approved days and hours of operation; and if the valet parking zone is not being used for a valet parking operation for all or part of the approved time periods, the permit may be modified or revoked. Only Department installed valet signage shall be posted or placed on the street.
- 7.2 The requirement that all vehicles shall be parked at the off-street parking facility listed on the permit and not parked in the valet zone for longer than the allowed time limit or in any other on-street parking space. Valet vehicles that are parked in violation of these provisions shall be subject to issuance of a parking citation and a violation notice may be issued to the establishment and the valet operator, as determined by the Department.
- 7.3 That the operation of any valet parking operation is the responsibility of the permit holder, and a statement that the permit holder agrees to comply with the terms and conditions in the permit, the valet parking rules and regulations and other regulations of the Department.
- 7.4 The permit shall be available for inspection at the establishment at all times.
- 7.5 Copies of the permit shall be provided to the local Boston Police Department District where the proposed valet operation will be located, the applicable District City Councillor and other city agencies including the Licensing Board for the City of Boston and the Mayor's Office of Consumer Affairs and Licensing.
- 7.6 The permit shall be issued upon approval and payment of the applicable fees. Once approved, the Department shall install valet signage. Unless a permit is renewed, the valet parking signage will be removed upon expiration of the current permit.
- 7.7 In the event the Department determines that a valet parking zone should be designated or shared by more than one establishment, the Department shall inform the applicants and take steps to insure this determination is implemented in a cost effective and expeditious manner. Under this arrangement, the Department may require that one establishment be the permit holder and others be listed on the permit.

### **Section 8.0 Fees**

The fees for the use of the curb space and signage are established by way of City of Boston Ordinance. Fees as of May 1997 are as follows: \$40 per linear foot of curb space per year and \$150 per sign for a five year period. The payment of the fees shall be on a schedule as determined by the Department.

### **Section 9.0 Enforcement**

- 9.1 The Department shall maintain a complete file for each valet park-

ing permit issued and for each valet parking company operating in the City. The files shall include all information relevant to the permit including application, approval letters, complaints, correspondence, reports and other related documents and information.

- 9.2 Conducting or operating a valet parking operation without a valet parking permit issued hereunder shall subject the establishment serviced by the valet parking operation and the valet operator to a fine not exceeding one thousand dollars for the first offense, and one thousand dollars for each subsequent offense. Each day on which a violation exists shall constitute a separate offense.
- 9.3 Valet parking permits may be suspended or revoked as set forth below, provided, however, that where a violation is a threat to public safety or welfare, a permit may be suspended or revoked prior to initiating the procedures below.
- 9.4 Transportation Department employees and Boston Police Officers are authorized to enforce these regulations. The Department shall maintain a log of valet parking complaints from elected officials, residents and other city agencies and Boston Police Department Incident Reports. Complaints and Incident Reports shall be maintained by permit zone and valet parking operator.
- 9.5 Complaints may be taken in person, by telephone or in writing. A complaint form, as determined by the Department, shall be used whenever practical. Copies of Complaints and Incident Reports received by the Department shall be provided to the permit holder and the valet parking operator.
- 9.6 On the basis of Boston Police Department Incident Reports or a violation notice issued under Section 7.2, the Department may issue a written warning to a permit holder. A written warning shall identify the nature of the problem and may state corrective action. Copies of written warnings will also be provided to the appropriate valet parking operator.
- 9.7 The Department may undertake compliance inspections from time to time and it may undertake investigations based upon Complaints, Incident Reports or violation notices. On the basis of inspections or investigations the Department may issue a written warning to a permit holder, as described in Section 9.6.
- 9.8 Following the issuance of at least one written warning to a permit holder, the Department may schedule a hearing if it receives an additional Complaint or Incident Report or if a compliance inspection reveals a problem. The purpose of the hearing will be to receive additional information and determine if additional enforcement measures are warranted. The permit holder shall be provided prior written notice of the hearing and may attend and present information. Following a hearing, the Department shall issue its determination as to what, if any, additional enforcement measures to take. Such measures may include an additional written warning or a modification, suspension or revocation of the permit.
- 9.9 Actions involving the modification, suspension or revocation of a permit shall be based upon the severity of the problem and, generally, shall be imposed after a hearing. A first suspension shall be for a period of not more than five days; a second suspension shall be for a period of not more than ten days; and a third suspension shall be for a period of not more than fifteen days. Following the third suspension the Department may, following a hearing, impose an indefinite suspension or it may revoke the permit.
- 9.10 Copies of written warnings, suspensions and revocations issued by the Department under this section shall be provided to other city agencies including the Police Department, the Licensing Board for the City of Boston and the Mayor's Office of Consumer Affairs and Licensing.

### **Section 10.0 Special or One-Day Permits**

The Department may, in its discretion, issue special or one-day permits for valet parking. Such permits shall, as determined by the Department, comply with all of the provisions hereunder, and applications for such permits shall be submitted no later than seventy-two hours prior to the date of the event.

### **Section 11.1 Severability**

If any section or part hereof is held invalid, the remainder shall not be affected by such holding.

# City of Boston Valet Parking Permit Application

(Issued July 1 to June 30 and must be renewed annually)

DATE \_\_\_\_\_

## Applicant Information (location where valet operation is proposed, a location may include more than one street provided that it is contiguous)

1. Business Name \_\_\_\_\_
  2. Address: Street \_\_\_\_\_ City: \_\_\_\_\_ Zip Code: \_\_\_\_\_
  3. Owner/General Manager \_\_\_\_\_
- Day Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Evening Phone # \_\_\_\_\_ Pager # \_\_\_\_\_

## Valet Information

1. Valet Company \_\_\_\_\_
  2. Address: Street \_\_\_\_\_ City: \_\_\_\_\_ Zip Code: \_\_\_\_\_
  3. Owner/General Manager \_\_\_\_\_
- Day Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Evening Phone # \_\_\_\_\_ Pager # \_\_\_\_\_
4. Valet Zone Location \_\_\_\_\_ Linear Feet \_\_\_\_\_
  5. Off-Street Facility to be utilized (Name and address of facility) \_\_\_\_\_

6. For the Applicable Days and Hours of the Valet Operation, please list the Estimated Number of Vehicles during the Time Period and the Estimated Number of Valet Attendants that will be assigned during those periods.

Daytime Monday to Friday:

\_\_\_\_\_  
(HOURS)

\_\_\_\_\_  
(# OF VEHICLES)

\_\_\_\_\_  
(# OF ATTENDANTS)

Daytime Saturday and Sunday:

\_\_\_\_\_  
(HOURS)

\_\_\_\_\_  
(# OF VEHICLES)

\_\_\_\_\_  
(# OF ATTENDANTS)

Evenings Sunday to Wednesday:

\_\_\_\_\_  
(HOURS)

\_\_\_\_\_  
(# OF VEHICLES)

\_\_\_\_\_  
(# OF ATTENDANTS)

Evenings Thursday to Saturday:

\_\_\_\_\_  
(HOURS)

\_\_\_\_\_  
(# OF VEHICLES)

\_\_\_\_\_  
(# OF ATTENDANTS)

## Required Attachments

Please identify by name and street address and attach a map or plan and a description showing the proposed route that valet parking staff will use to and from the off-street parking facility.

Please attach a copy of the agreement between the valet company or the establishment with the owner or operator of an approved off-street parking facility where the valet vehicles will be parked. Said agreement must include the following information: the total number of parking spaces in said facility; and the total number of parking spaces available for use by valet parked vehicles from the establishment.

**Sign below & submit to City of Boston, Transportation Dept, Off-Street Parking Division, 43 Hawkins Street, Boston, MA 02114**

\_\_\_\_\_  
SIGNATURE OF APPLICANT